



INTERIOR BOARD OF INDIAN APPEALS

Wayne Ducheneaux v. Great Plains Regional Director, Bureau of Indian Affairs

38 IBIA 273 (01/16/2003)

Denying reconsideration of:
38 IBIA 237



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
801 NORTH QUINCY STREET
SUITE 300
ARLINGTON, VA 22203

WAYNE DUCHENEAUX,
Appellant

v.

GREAT PLAINS REGIONAL DIRECTOR,
BUREAU OF INDIAN AFFAIRS,
Appellee

: Order Denying Reconsideration
:
:
: Docket No. IBIA 03-35-A
:
:
: January 16, 2003

On December 5, 2002, the Board dismissed this appeal as untimely. 38 IBIA 237.
On January 13, 2002, the Board received a motion for reconsideration from Appellant.

The Board's regulation governing reconsideration provides that a "petition [for reconsideration] must be filed with the Board within 30 days from the date of the decision." 43 C.F.R. § 4.315(a). Appellant's motion for reconsideration is dated and postmarked January 8, 2003, more than 30 days after December 5, 2002.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, Appellant's motion for reconsideration is denied as untimely.

//original signed

Anita Vogt
Administrative Judge

//original signed

Kathryn A. Lynn
Chief Administrative Judge